# **Officer History**

	Officer Name: Tax ID: Shield: Rank: Birth Year:		Griffin, Ju	ılia					
			944614			Sex:	F		
			01119		]	Race:	White		
			SGT		Comn	nand:	083		
					Appt	Date:	07/09/2007		
		Age:			Te	nure:	15		
CCRB#	CMD	Incident Date	Reported Date	Allegation	Allegation Disposition		l Discipline nmendation*	NYPD Allegation Disposition	NYPD MOS Penalty
201104224	060	03/30/2011	04/04/2011	Discourtesy - Word	Unsubstantiated				
				Discourtesy - Action	Unsubstantiated				
202002828	083	04/18/2020	04/22/2020	Abuse - Stop	Substantiated (Command Discipline A)	Substa (Charg	antiated ges)		
				Abuse - Frisk	Substantiated (Command Discipline A)	Substa (Charg	antiated ges)		
				Discourtesy - Word	Substantiated (Command Discipline A)	Substa (Charg	antiated ges)		
				Abuse - Search (of person)	Substantiated (Command Discipline A)	Substa (Charg	antiated ges)		
202204040	083	06/08/2022	06/14/2022	Abuse - Forcible Removal to Hospital					
202206079	083	09/11/2022	09/12/2022	Force - Physical force					

**Total Charges = 12 Total Cases = 7** 

<sup>\*</sup>Board Discipline Recommendations were not issued for complaints closed prior to the CCRB's adoption of the NYPD's Disciplinary Matrix on 03/15/2021. With the adoption of the NYPD Disciplinary Matrix, CCRB now issues a Board Discipline Recommendation for officers that is separate and apart from the disposition of the allegations substantiated against the officer.

<sup>\*\*</sup>Complaints closed after December 2021 use the terminology "Other Possible Misconduct Noted" (OPMN). Complaints closed prior to December 2021 use the terminology "Other Misconduct Noted" (OMN).

# CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	✓ Forc	e 🔽	Discour	t. U.S.
Trevor Hackett		Squad #8	202002828	Abus	se 🗆	O.L.	☐ Injury
Incident Date(s)		18 Mo. SOL	EO SOL	Location	of Incid	dent:	Precinct:
Saturday 04/18/2020 3:40 PM		10-18-2021	05-04-2022	330	Wilson .	Avenue	83
Date/Time CV Reported		CV Reported At:	How CV Reporte	d: Date	Time Re	ceived at Co	CRB
Wed, 04/22/2020 2:44 PM		CCRB	On-line website	Wed,	04/22/20	)20 2:44 P	M
Complainant/Victim	Type	Home Add	dress				
1. D R J	Comp/Vi	ctim					
Subject Officer(s)	Shield	TaxID	Command				
1. POM A							
2. SGT Julia Griffin	01119	944614	083 PCT				
3. POM D							
4. POM A M	GL: LLN	TO N	CLIN				
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. PO S P P 2. PO A L							
Officer(s)	Allegatio	on			Investig	gator Reco	mmendation
A . POM D	Abuse of D	Authority: Police Of	fficer D S st	topped	A. Sub	stantiated	
B . POM A J		Authority: Police Of	fficer A J		B . Sub	stantiated	
C . SGT Julia Griffin	Abuse of R	Authority: Sergeant	Julia Griffin stopped	D	C . Sub	stantiated	
D . POM D	Force: Po	olice Officer D	pointed his gun	at D	D . Exc	onerated	
E. POM A	Force: Po	lice Officer A	J pointed his	gun at	E . Exo	nerated	
F . SGT Julia Griffin	Discourte D <b>un</b> R	esy: Sergeant Julia G	riffin spoke discourte	ously to	F. Sub	stantiated	
G . POM D	Abuse of D	Authority: Police Of	fficer D S fr	risked	G . Sub	stantiated	
H . SGT Julia Griffin	Abuse of R	Authority: Sergeant	Julia Griffin frisked I		H . Sub	stantiated	
I . POM A M	Abuse of frisked D	Authority: Police Of	fficer A M		I . Subs	stantiated	
J . SGT Julia Griffin	Abuse of R	Authority: Sergeant	Julia Griffin searched	l D	J . Subs	stantiated	
K . POM A M	Abuse of searched	Authority: Police Of D R J	fficer A M		K . Sub	stantiated	

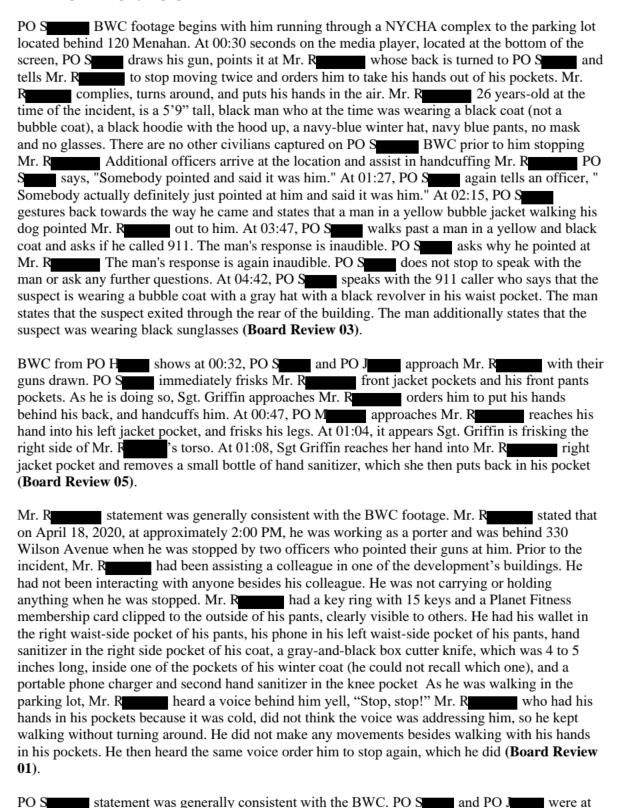
#### **Case Summary**

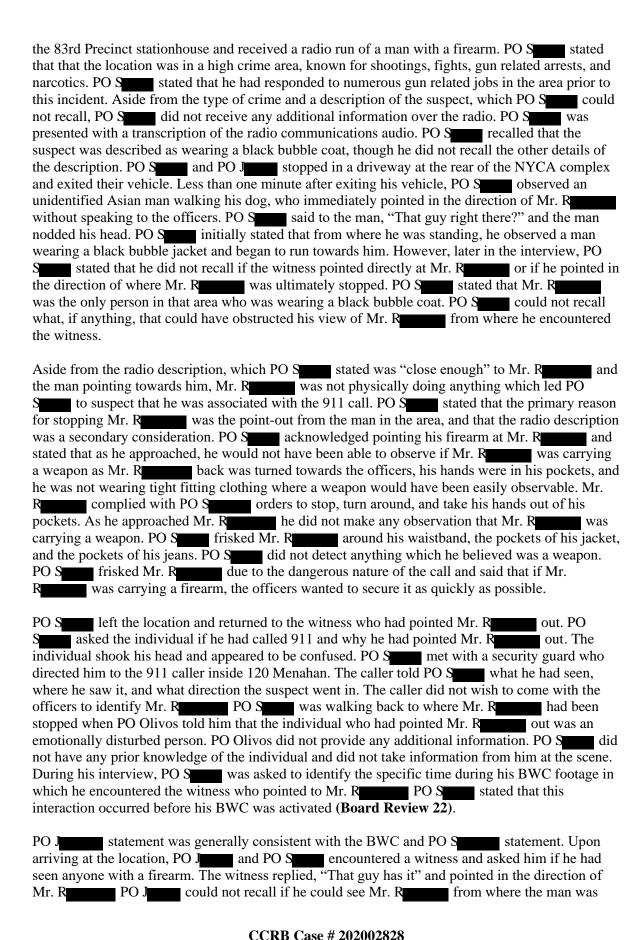
On April 22, 2020, D J filed this complaint on the CCRB's website. On April 18, 2020, at approximately 3:40 PM, Mr. Remark was walking in the parking lot of Hope Gardens, a NYCHA development located at 330 Wilson Avenue in Brooklyn, and was stopped by Police Officer Desir Section Police Officer Appearance June 2 and Sgt. Julia Griffin of the 83<sup>rd</sup> Precinct (Allegations A, B, and C: Abuse of Authority, substantiated). As they PO S and PO J pointed their firearms at Mr. R approached Mr. R (Allegations D and E: Force, exonerated). As Sgt. Griffin handcuffed Mr. R "Don't you fucking move" (Allegation F – Discourtesy, substantiated). Additional officers arrived at the location including PO Marrived of the 83<sup>rd</sup> Precinct. PO Samuel Sgt. Griffin, and PO all frisked D R before Sgt. Griffin and PO M searched him. (Allegation G – K: Abuse of authority, substantiated). Mr. R was ultimately released and was not summonsed or arrested because of this incident. Body Worn Camera footage was obtained from the NYPD for PO Second PO Jesses Sgt. Griffin, as well as Police Officers R L B K S P E D and T , all from the  $83^{rd}$ R  $\circ$  S K B Precinct. The footage is located in IAs #49-67 (Board Review 02-20) is summarized in IA #74 (Board Review 21). Radio communications audio of the incident was obtained and is located in IA #71 (Board Review 26) and summarized in IA #160 (Board Review 27). **Findings and Recommendations** Allegation A – Abuse of Authority: Police Officer Described Stopped D Allegation B – Abuse of Authority: Police Officer A stopped D Allegation C – Abuse of Authority: Sergeant Julia Griffin stopped D Allegation D - Force: Police Officer D pointed his gun at D Allegation E – Force: Police Officer A pointed his gun at D Allegation G – Abuse of Authority: Police Officer D S frisked D Allegation H – Abuse of Authority: Sergeant Julia Griffin frisked D Allegation I – Abuse of Authority: Police Officer A frisked D Allegation J – Abuse of Authority: Sergeant Julia Griffin searched D Allegation K – Abuse of Authority: Police Officer A searched D It is undisputed that PO S and and PO J stopped and pointed their guns at Mr. R connection with a 911 call about someone wielding a firearm near the location. It is also undisputed that PO S PO J Sgt. Griffin, and PO M frisked Mr. R and that Sgt. Griffin and PO M searched Mr. R What remains in dispute is whether officers were justified in doing so. An NYPD request for Event documents was returned with negative results, however, in PO BWC footage, radio communications can be heard emanating from PO S radio. By comparing the BWC timestamps of when the radio communications are heard in the BWC footage to the NYPD radio communications CD (Board Review 26), the investigation determined that Mr. was stopped at the 03:25 minute-mark of the communications CD timestamp. At 00:00, the operator reports a Hispanic man with gun in his pocket at 120 Menahan in Brooklyn. He is described as wearing a black bubble jacket, black pants, gray cap with a ball, glasses, and a mask.

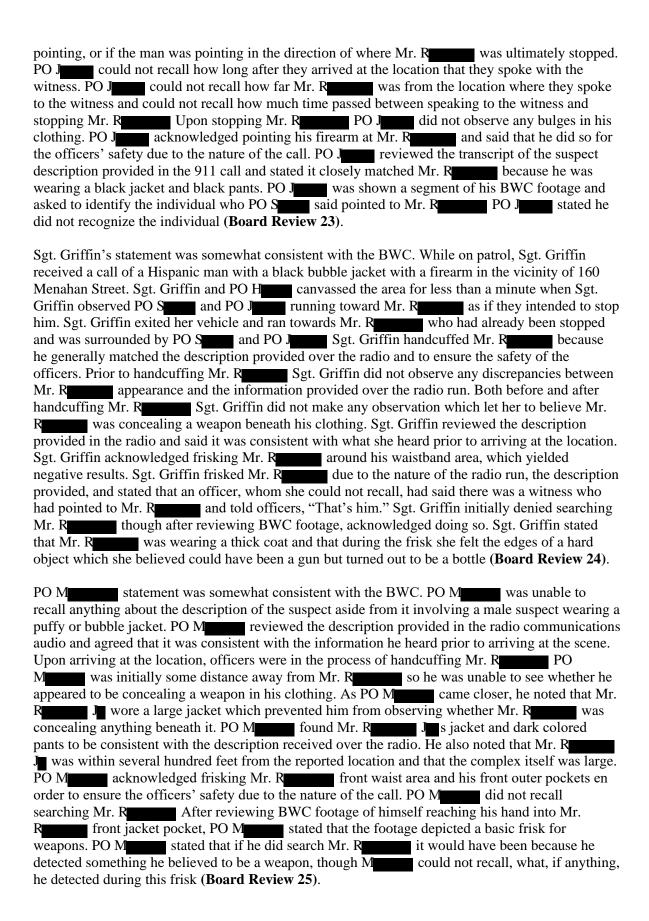
**CCRB Case # 202002828** 

He is described as 5'5" tall, slim, and 50-60 years old. At 01:44, operator states the suspect keeps

going in and out of a building at 120 Menahan and going through the back near the courtyard on Grove Street. At 03:10, the operator repeats the description as a male Hispanic, wearing a black coat and pants, a grey cap, glasses, and a mask.

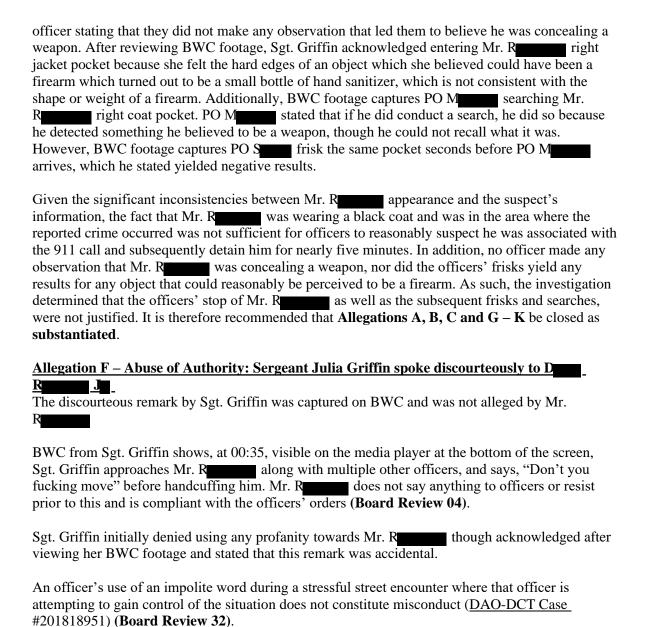






A stop report prepared by PO J was obtained and is generally consistent with PO S and and PO Justine statements as well as the radio communications audio. The report notes that Mr. was stopped because he matched the specific description of a suspect and due to his proximity to the reported crime (Board Review 28). An officer's decision to display or draw a firearm should be based on an articulable belief that the potential for serious physical injury is present. When a uniformed member of the service determines that the potential for serious physical injury is no longer present, the uniformed member of the service will holster the firearm as soon as it is practical, NYPD Patrol Guide 221-01 (Board Review 29). To stop an individual, officers must possess reasonable suspicion that the person has committed, is committing, or is about to commit a crime. People v. DeBour, 40 N.Y. 2d 210 [1976] (Board Review 31). The mere presence near the location where a suspect was last seen, and a vague description that somewhat matches the suspect, is not a reasonable basis for suspicion, Dancy v. McGinely, 843 F.d3 93 (Board Review 30). An officer may frisk an individual when they reasonably suspect that the individual may be armed and present a risk of harm to the officer. If an apparent weapon is revealed during a frisk, a limited search may be conducted only of the area where the apparent weapon was discovered People v. DeBour, 40 N.Y.2d 210 (1976). The investigation was unable to verify whether an individual at the location pointed out Mr. to officers. PO States and PO Just themselves could not recall whether this individual or in the general direction of where they ultimately encountered pointed directly at Mr. R him. However, at the time officers pointed their firearms at Mr. R his back was turned toward the officers and he was wearing a black coat and navy-blue pants, which generally matched the description provided over the radio. Additionally, Mr. R was in the general vicinity of the reported crime where no other civilians were present. Given that from behind, Mr. Regently matched the description of a suspect wielding a firearm and that Mr. R was alone near the reported crime, it was reasonable for PO S and PO June to believe that there was potential for serious physical injury and therefore draw and point their firearms. It is therefore recommended that **Allegations C** and **D** be closed as exonerated. While it was reasonable for PO States and PO June to order Mr. Russes to stop given that from behind his black coat and dark pants could have conceivably matched the description of the suspect, when he turned to face the officers, their suspicion should have dissipated given the significant inconsistences between his appearance and the provided description. Despite PO Seaton's, PO James and Sgt. Griffin's statements that Mr. Record closely matched the suspect's description, Mr. R is black and not Hispanic, is 26 years-old and not 50-60 years old, was not wearing a bubble coat, was not wearing a grey cap, glasses, or a mask. Despite these inconsistencies, PO See PO Jee and Sgt. Griffin continued with the stop which resulted in Mr. R being handcuffed and detained for nearly five minutes. During this time, PO Section Sgt. Griffin and Manage frisked Mr. Record despite the significant

discrepancies between Mr. R appearance and the suspect's description and despite each



Given that Mr. Remain was immediately compliant with officers' orders and was not moving or resisting when Sgt. Griffin cursed at him, Sgt. Griffin's use of profane language was inappropriate and unnecessary as the situation was already under control. It is therefore recommended that **allegation F** be closed as **substantiated**.

### **Civilian and Officer CCRB Histories**

- This is the first complaint to which Mr. Remain has been a party (**Board Review 33**).
- PO S
   has been a member of service for four years and has been a subject in two
   additional CCRB complaints and two allegations, neither of which were substantiated.
- PO James has been a member of service for two years and has been a subject in one other CCRB complaint with one allegation, which has not been substantiated.
- PO Member has been a member of service for seven years and has been a subject in one other CCRB complaint with two allegations, neither of which were substantiated.

• Sgt. Griffin has been a member of service for 14 years and has been a subject in four other CCRB complaints with six allegations, none of which were substantiated.

### **Mediation, Civil and Criminal Histories**

- Mr. R declined to mediate this complaint.
- According to the Office of Court Administration (OCA), Mr. Representation of convictions in New York City (Board Review 34).
- As of February 18, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (**Board Review 35**).

Squad No.:	8		
Investigator:	Trevor Hackett Signature	Inv. Trevor Hackett Print Title & Name	12/09/2021 Date
Squad Leader:	Ethan De Angelo Signature	IM Ethan De Angelo Print Title & Name	12/13/2021 Date
Reviewer:	Signature	Print Title & Name	Date